

**SOUND TRANSIT
STAFF REPORT**

MOTION NO. M2007-38

**Ratification of Emergency Contract for Emergency Sewer Line Repairs
at the Bellevue Rider Services Center**

Meeting:	Date:	Type of Action:	Staff Contact:	Phone:
Board	3/8/07	Discussion/Possible Action	Ellen Gustafson, Acting Director, Transportation Services John Sheldon, Facilities Program Manager	(206) 398-5094 (206) 398-5053

Contract/Agreement Type:	✓	Requested Action:	✓
Competitive Procurement		Execute New Contract/Agreement	✓
Sole Source		Amend Existing Contract/Agreement	
Agreement with Other Jurisdiction(s)		Budget Amendment	
Real Estate		Property Acquisition	

PROJECT NAME

Emergency Main Sewer Line Repairs

PROPOSED ACTION

Ratifies a contract with the McKinstry Company for emergency main sewer line repairs performed at the Bellevue Rider Services Center for a total authorized contract amount not to exceed \$127,773.

KEY FEATURES of PROPOSED ACTION

- In October 2006, the McKinstry Company responded to an emergency call to assess sewer line repairs at the Bellevue Rider Services Center. The assessment disclosed multiple soil nail punctures to a main sewer line, which caused an essential loss of plumbing functions at the Bellevue Rider Services Center.
- It was determined that the work was an emergency and required the immediate execution of a contract for work. In accordance with Resolution No. 78-1, when an emergency shall require the immediate execution of a contract for work or services, the chief executive officer is authorized to make a finding of the existence of such emergency and execute any contracts necessary to respond to the existing emergency, provided that the chief executive officer shall request Board ratification of the finding of emergency and any purchases or contracts awarded and/or executed pursuant to that finding if the cost thereof exceeds \$100,000.
- Sound Transit is seeking full reimbursement from Howard S. Wright Construction for emergency plumbing repair costs to the Bellevue Rider Services Center.

BUDGET IMPACT SUMMARY

There is no action outside of the Board-adopted budget; there are no contingency funds required, no subarea impacts, or funding required from other parties other than what is already assumed in the financial plan.

BUDGET and FINANCIAL PLAN DISCUSSION

The proposed action would ratify the emergency work performed by the McKinstry Company in the amount of \$127,773 for emergency plumbing and sewer line repair work at Bellevue Transit Center. The original contract with McKinstry was signed in 2006 in the amount of \$100,000 and expired on December 31, 2006. The work has been completed for a cost of \$127,773. The proposed action would ratify this contract of \$127,773, enough to pay the remaining balance of the work performed.

The maintenance of station budget for ST Express available to cover this contract is \$1,142,213, of which \$314,475 is related to Bellevue Transit Center. Although there was no contingency fund set up for emergency services in 2006 budget, the total expenditure for Bellevue Transit Center is below budgeted level and there would be sufficient budget authority to cover this expense.

The budget for the maintenance of the Bellevue Transit Center and rider services building was included in the ST Express transit operations budget. This budget was detailed on page 55 of the Adopted 2006 budget book. The impact of this action on the transit operations budget is detailed below:

Summary for Board Action (Year of Expenditure \$000)

Action Item: Execute a change in order to add \$27,773 to an existing contract with McKinstry for emergency plumbing repair at Bellevue Transit Center.

Contract Budget	Current Approved Contract Value (A)	Committed to Date (B)	Proposed Action (C)	Proposed Total Contract Value (D)
1 McKinstry	100	100	28	128
2 Contingency	-	-	-	-
3 Total	100	100	28	128

Contract to be Charged: Transportation Services Department, Account Budget	Current Board Adopted Budget (1)	2007 Portion Proposed Action (3)
5 Bellevue Transit Center	150	28
6 Other Stations	1,122	N/A
7 Total Budget for Maint. Of Stations	1,272	28

Notes

¹ The total budget for maintenance of stations is \$1,272K, of which \$150K is related to Bellevue Transit Center. The budget is found on page 61 of 2007 Proposed Budget book.

² This contract would add \$28K to the current contract for 2007. The annual spending for Bellevue transit Center will be \$28K.

SMALL BUSINESS PARTICIPATION

McKinstry qualifies as a small business.

EEO COMMITMENT

McKinstry Company's estimated workforce demographics represent 9% minority, and 18% women.

PROJECT DESCRIPTION and BACKGROUND for PROPOSED ACTION

In October 2006, the McKinstry Company responded to an emergency call to assess plumbing problems at the Bellevue Rider Services Center. The assessment disclosed multiple soil nail punctures to a main sewer line, which caused an essential loss of plumbing functions at the Bellevue Rider Services Center.

It was determined that the work was an emergency and required the immediate execution of a contract for work. In accordance with Resolution No. 78-1, when an emergency shall require the immediate execution of a contract for work or services, the chief executive officer is authorized to make a finding of the existence of such emergency and execute any contracts necessary to respond to the existing emergency, provided that the chief executive officer shall request Board ratification of the finding of emergency and any purchases or contracts awarded and/or executed pursuant to that finding if the cost thereof exceeds \$100,000. Board ratification of the contract was not sought earlier as repairs were originally expected to be less than \$100,000.

On January 4, 2007, Sound Transit invoiced Howard S. Wright Construction for full reimbursement of the emergency plumbing/sewer repair costs to the Bellevue Rider Services Center in the amount of \$127,773. Howard S. Wright Construction is being requested for reimbursement for the multiple soil nail punctures that occurred during the company's construction of the Bellevue Transit Center.

CONSEQUENCES of DELAY

None.

PUBLIC INVOLVEMENT

Not applicable to this action.

ENVIRONMENTAL COMPLIANCE

Not applicable to this action.

LEGAL REVIEW

JW 2/28/07

SOUND TRANSIT

MOTION NO. M2007-38

A motion of the Board of the Central Puget Sound Regional Transit Authority ratifying a contract with the McKinstry Company for emergency main sewer line repairs performed at the Bellevue Rider Services Center for a total authorized contract amount not to exceed \$127,773.

Background:

In October 2006, the McKinstry Company responded to an emergency call to assess plumbing problems at the Bellevue Rider Services Center. The assessment disclosed multiple soil nail punctures to a main sewer line, which caused an essential loss of plumbing functions at the Bellevue Rider Services Center.

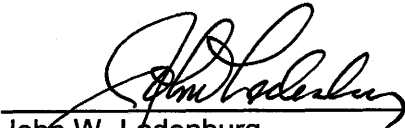
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Motion:

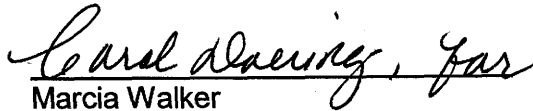
It is hereby moved by the Board of the Central Puget Sound Regional Transit Authority that the contract with the McKinstry Company for emergency main sewer line repairs performed at the Bellevue Rider Services Center is ratified for a total authorized contract amount not to exceed \$127,773 and that Sound Transit will pursue all options available for full reimbursement from Howard S. Wright Construction for costs associated with the repair.

APPROVED by the Board of the Central Puget Sound Regional Transit Authority at a regular meeting thereof held on March 8, 2007.



John W. Ladenburg
Board Chair

ATTEST:



Marcia Walker
Board Administrator